(75)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

W.P. No.1732 of 2006

PETITIONER Vijay Gupta, S/o Shriram Gupta, Aged about 38 years, R/o. Arang, In front of Mandi Gate, District Raipur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Mining, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
2. The Director, Directorate of Geology and Mining, Ring Road, Raipur, Tahsil & District Raipur (C.G.)
3. The Collector, Through Mining Officer, Raipur (C.G.)
4. The Mining Officer, Mining Department, Collectorate Raipur (C.G.)
5. Hemlal Sahu, Aged about 32 years, S/o Shri Tirath Ram Sahu, R/o Birkoni, Tehsil Arang, District Raipur (C.G.)

Present: Shri Ashok Soni, learned counsel for the petitioner.
Shri Sanjay S Agrawal, learned Govt. Adv. for State.
Shri Yogesh Pandey, learned counsel for respondent No.5.

ORAL ORDER
(Passed on 04th September, 2006)

Against the impugned order a revision lies to the State Government under Rule 58 of the Chhattisgarh Minor Mineral Rules, 1996, which remedy is more comprehensive and complete.

(2) Having heard learned counsel for the parties, I do not find any extraordinary circumstance which could persuade me to permit the petitioner to straightaway approach this Court under Article 226 of the Constitution of India without exhausting the alternative remedy provided under Rule 58 of the Chhattisgarh Minor Mineral Rules, 1996. In that view of the matter, the writ petition is dismissed, however, reserving

liberty to the petitioner to avail of the remedy under Rule 58 of the Chhattisgarh Minor Mineral Rules, 1996. All the contentions raised by the parties in their respective pleadings are left open to be agitated before the revisional authority. No costs.

Sd/-
Chief Justice